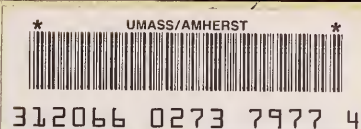


MASS. EA22.2: C58/2/988



Technical Services Branch

CLEAN

LAKES PROGRAM

1988 PERMIT GUIDE



Massachusetts Department of Environmental Quality Engineering
Daniel S. Greenbaum, Commissioner

DIVISION of WATER POLLUTION CONTROL

Thomas C. McMahon, Director

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COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF ENVIRONMENTAL QUALITY ENGINEERING
DIVISION OF WATER POLLUTION CONTROL
TECHNICAL SERVICES BRANCH

CLEAN LAKES PROGRAM

PERMIT GUIDE

1988

Massachusetts Executive Office of Environmental Affairs
James S. Hoyte, Secretary

Department of Environmental Quality Engineering
Daniel S. Greenbaum, Commissioner

Division of Water Pollution Control
Thomas C. McMahon, Director

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INTRODUCTION

The different types of projects that are eligible for funding under the Massachusetts Clean Lakes Program include Diagnostic/Feasibility Studies, Implementation Projects and Maintenance Projects. Many of these projects require permits, licenses, approvals, or reviews. This guide has been compiled to serve as an aid to the Grantee who is responsible for completing, filing, and obtaining most local, state and federal permits, licenses, and approvals prior to the implementation of any activity requiring a permit. The guide describes the type of permit that is required, when the permit must be obtained, the responsible agency, the types of activities that are regulated and any fees that may be involved.

Table 1 presents the type of project and the permits that may be required. Dredging has been placed in a separate category even though it is an implementation project since more approvals and permits may be involved.

THE GRANTEE IS CAUTIONED THAT THIS GUIDE IS NOT MEANT TO CONTAIN A COMPLETE DESCRIPTION OF THE REGULATIONS AND REQUIREMENTS OF THE INDIVIDUAL PERMITS, REVIEWS, AND APPROVALS. IT SHOULD BE USED ONLY AS A GENERAL REFERENCE OR GUIDE. SPECIFIC QUESTIONS SHOULD BE DIRECTED TO THE PROPER AGENCY.

TABLE 1

USE THIS TABLE TO DETERMINE THE PERMITS, REGULATIONS AND APPROVALS THAT MAY BE NECESSARY FOR EACH TYPE OF CLEAN LAKES PROJECT. THE SPECIFIC NATURE OF EACH PROJECT WILL ULTIMATELY DETERMINE WHICH PERMITS ARE REQUIRED.

PERMIT OR REGULATION	PHASE I D/F STUDY	PHASE II CONSTRUCTION	PHASE II	
			DREDGING PROJECT	MAINTENANCE PROJECT
Army Corps of Engineers Section 404 Permit		X	X	
Certificate as to Title to Project Site		X	X	
Chapter 91 Waterways License		X	X	
Coastal Zone Management Consistency Approval		X	X	
Division of Fisheries and Wildlife Approval			X	
Division of Solid and Hazardous Waste Approval			X	
Fair Housing - Executive Order 215		X	X	
Ground Water Discharge Permit Program		X	X	
Intermunicipal/Intergovernmental Agreement	X	X	X	X
Massachusetts Commission Against Discrimination	X	X	X	X
Massachusetts Environmental Policy Act		X	X	X
Massachusetts Historical Commission Approval		X	X	
Massachusetts Natural Heritage Program Approval		X	X	
Massachusetts Wage Rate-Certification of Compliance		X	X	
National Pollutant Discharge Elimination System Permit		X	X	
Permit to Apply Chemicals				X
Sewer Extension and Connection Permits		X	X	
Water Quality Certificate		X	X	
Wetlands Protection Act Permit		X	X	X

ARMY CORPS OF ENGINEERS SECTION 404 PERMIT

TYPE: A permit to dispose of dredged materials or place fill material in all waters of the United States, including wetlands.

AGENCY/CONTACT: Regulatory Branch
U.S. Army Corps of Engineers
424 Trapelo Road
Waltham, MA 02254

(617) 647-8332
1-800-362-4367

TIMING: There is no statutory limitation on the review period. Generally 90-120 days is required, however, a period of 1-2 years is possible if an Environmental Impact Statement is required.

REGULATED ACTIVITIES:

The discharge of dredged or fill materials in all waters of the United States, including wetlands.

SUPPORTIVE DOCUMENTATION:

1. A joint Notice of Intent/Application Form (obtained from the local Conservation Commission).
2. A site plan/map and detailed drawings depicting the proposed action on 8½ X 11" sheets.
3. A description of the physical and chemical character of dredged/fill material, and alternatives considered.
4. A Wetland Protection Act Permit, Water Quality Certificate, and Chapter 91 Waterways License will be required although they are not necessary at the time of application.

PERMIT LIFE:

Work should be completed within 3 years of the permit's issuance.

FEE: Will depend on nature of project.
Private individual - \$10.00
Commercial - \$100.00

CERTIFICATE AS TO TITLE TO PROJECT SITE (DWPC-628-25)

TYPE: A certificate endorsed by an Attorney-at-Law that specifies the location and title of a Phase II construction project site including the necessary easements and rights-of-way.

AGENCY/CONTACT: Project Officer
Division of Water Pollution Control
Lakes Section
Lyman School, Westview Building
Westborough, MA 01581

(617) 366-9181

TIMING: Must be submitted with the Phase II Clean Lakes Program application, the deadline for which is November 15.

REGULATED ACTIVITIES:

Projects that require construction or changes to existing properties.

SUPPORTIVE DOCUMENTATION:

Additional information may be requested by the Division.

PERMIT LIFE:

Coincides with termination of the Substate Agreement.

FEE: None

CHAPTER 91 WATERWAYS LICENSE

TYPE: License to construct structures in tidewaters, Great Ponds, and in any river or stream where government expenditures have been made. Construction includes activities such as erecting structures, filling of lands and driving of piles. Permits are issued to perform dredging.

AGENCY/CONTACT: John Zajac
Division of Wetlands and Waterways Regulation
Department of Environmental Quality Engineering
One Winter Street
Boston, MA 02108

(617) 292-5519

Applicant will be contacted by the Division of Wetlands and Waterways if license is necessary.

TIMING: License must be obtained prior to commencing the proposed activity. A review will take place within 90 days of receipt of completed license application. In the event an Environmental Impact Report is not required under MEPA regulations, a review will take place after publication in the Environmental Monitor.

REGULATED ACTIVITIES:

Construction or dredging activities in tidewaters, Great Ponds, or in any river or stream where governmental expenditures have been made. Construction includes activities such as emplacement/erection of structures, filling of public trust lands and driving/emplacement of piles.

SUPPORTIVE DOCUMENTATION:

1. Completed application form supplied by Department that may require plans and specifications prepared by a Massachusetts registered engineer or land surveyor.
2. Local Conservation Commission final Order of Conditions.
3. Water Quality Certification if dredging or filling is performed.
4. MEPA Environmental Notification Form for those projects in which waterway thresholds will be exceeded.
5. Copy of published public notice.
6. Town Clerk's certification (for tidelands).

PERMIT LIFE:

Project must be completed within five years of issuance of license or permit.

FEE: There is currently no application fee. However, regulations are pending which will impose a modest application fee. In addition, fees may be required for certain activities, for example, in tidelands.

COMMENTS: License becomes void if not recorded at Registry of Deeds within 60 days of issuance.

COASTAL ZONE MANAGEMENT CONSISTENCY APPROVAL

TYPE: A review of federally permitted activities (including Section 10, Section 404, Section 103) to make certain they are consistent with Coastal Zone Management policies.

AGENCY/CONTACT: James O'Connell
Project Review Coordinator
Office of Coastal Zone Management
100 Cambridge Street, Room 2006
Boston, MA 02202

(617) 727-9530

TIMING: Prior to issuance of Federal permits and approvals.

REGULATED ACTIVITIES:

Activities affecting wetlands or water in the coastal zone for which Federal license, permit or funding is required.

Also, activities in the coastal zone being conducted by a federal agency.

SUPPORTIVE DOCUMENTATION:

1. A copy of each Federal permit application.
2. Applicant's written certification (Consistency Certificate) that the proposed activities are consistent with Massachusetts CZM Program policies.
3. Certification from MEPA unit indicating completion of that process.
4. Additional information as requested.
5. Applicant must receive Wetlands Protection Act Permit, Water Quality Certificate, and Waterways License before consistency review procedure is concluded.

PERMIT LIFE: Does not apply

FEE: None

DIVISION OF FISHERIES AND WILDLIFE NOTIFICATION

TYPE: Written notification is required for planned drawdowns of ponds or lakes.

AGENCY/CONTACT: Division of Fisheries and Wildlife
Wildlife District Office
(See Appendix C for address and contact.)

TIMING: The District Office should be notified at least 15 days prior to the commencement of drawdown.

REGULATED ACTIVITIES:

Any activity that results in the drawdown of a lake or pond.

SUPPORTIVE DOCUMENTATION:

Final Order of Conditions issued by local conservation commission in accordance with Wetlands Protection Act Permit.

PERMIT LIFE: Does not apply

FEE: None

DIVISION OF SOLID AND HAZARDOUS WASTE

TYPE: Permit to allow the disposal of dredge material or debris on land.

AGENCY/CONTACT: Department of Environmental Quality Engineering
Division of Solid and Hazardous Waste
Regional Office (See Appendix A)

TIMING: Issuance of permit is necessary prior to the disposal of dredge material.

REGULATED ACTIVITIES:

The disposal of solid waste at an approved site.

SUPPORTIVE DOCUMENTATION:

1. Bulk sediment chemistry data must be filed with the Division of Water Pollution Control in application for Water Quality Certification.
2. The applicant indicates to DWPC the proposed disposal site, including locus map. DWPC will request approval from the Division of Solid and Hazardous Waste (DSHW) for material containing no contaminants which exceed Type II sludge limits. Such approval will result in a designation of the waste as a cover or clean fill material. As such it will not be subject to site assignment under M.G.L. Ch 111 Section 105A.
3. Bulk sediment exceeding Type II sludge limits will be classified as a Special Waste and requires the applicant to submit EP toxicity test results to DSHW for disposal site approval. Written Board of Health approval is required for special waste disposal.

PERMIT LIFE: Does not apply

FEE: None

FAIR HOUSING - EXECUTIVE ORDER 215

TYPE: Compliance with housing policy requirements. The Executive Office of Communities and Development (EOCD) will determine if the community has been unreasonably restrictive of development of low and moderate income housing. EOCD will forward its determination to the Secretary of Environmental Affairs. Grants will not be made to communities judged to be restrictive of housing, unless otherwise notified by the Secretary.

AGENCY/CONTACT: Christine L. Pappas
Executive Office of Communities and Development
100 Cambridge Street
Room 1404
Boston, MA 02202

(617)727-7824

TIMING: The Division of Water Pollution Control will notify EOCD of all Clean Lakes Program applicants after the November 15 deadline each fiscal year. Municipalities are responsible for contacting EOCD to ensure they are in compliance with the balanced housing policy requirements imposed by Executive Order 215 early in the grant process. Compliance with E.O. 215 will be written into the Substate Agreement.

REGULATED ACTIVITIES:

Executive Order 215 directs all state agencies administering development-related funding programs to consider each applicant's housing policies and practices. This process applies only to Phase II construction projects administered by the Clean Lakes Program.

SUPPORTIVE DOCUMENTATION: Does not apply

PERMIT LIFE: Does not apply

FEE: None

GROUND WATER DISCHARGE PERMIT PROGRAM

TYPE: Permit to allow regulated and limited discharge of pollutants into ground waters of the Commonwealth.

AGENCY/CONTACT: Mark Pare
Department of Environmental Quality Engineering
Division of Water Pollution Control
One Winter Street
Boston, MA 02108

(617) 292-5673

TIMING: Application must be submitted at least 180 days before the date on which the discharge is to commence.

REGULATED ACTIVITIES:

Activities that result in the discharge of pollutants into the ground.

SUPPORTIVE DOCUMENTATION:

Completed application which may include the submission of a hydrogeologic study of the affected area as well as plans and specifications for any proposed wastewater treatment scheme.

PERMIT LIFE:

Permits are issued for a term not to exceed five (5) years.

FEE: No fee to apply. However, there is an annual compliance inspection fee for permittees other than public entities.

REFERENCE:

M.G.L. c.21, §42, 43
314 CMR 2.00, 5.00, 6.00

INTERMUNICIPAL/INTERGOVERNMENTAL AGREEMENT

TYPE: An agreement negotiated between communities and/or governmental agencies for the purpose of cooperative action and/or local cost sharing.

AGENCY/CONTACT: Project Officer
Division of Water Pollution Control
Lakes Section
Lyman School, Westview Building
Westborough, MA 01581

TIMING: An article must be placed on the town meeting warrant which will authorize the municipalities to enter into one or more intermunicipal or intergovernmental agreements. The actual agreement(s) must be executed prior to the signing of the Substate Agreement.

REGULATED ACTIVITIES:

Those projects where the lake and/or watershed includes more than one municipality.

SUPPORTIVE DOCUMENTATION:

A certified copy of the vote authorizing an intermunicipal or intergovernmental agreement.

PERMIT LIFE:

As determined by the specific intermunicipal/inter-governmental agreement.

FEE: None

MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION (MCAD)

TYPE: Requires compliance with Affirmative Action regulations of the Executive Office of Environmental Affairs (EOEA). MCAD will review all Clean Lakes Program applicants placed on the priority and the extended list for funding. Applicants must be in compliance before a grant can be approved by the Division.

AGENCY/CONTACT: Donald Ng
Massachusetts Commission Against Discrimination
One Ashburton Place
Boston, MA 02108

(617)727-7309

TIMING: The Division of Water Pollution Control will submit a list to MCAD of all grant applicants placed on the priority and the extended list for funding. It is the applicant's responsibility to contact MCAD to determine their status. This should be done soon after submitting an application for funding, as the review process may take 3-4 months.

REGULATED ACTIVITIES:

All Clean Lakes Program applicants will be reviewed by MCAD. Until MCAD notifies the Division that the applicant is in compliance with EOEA regulations, the Division may not approve the grant application. In addition to this eligibility review by MCAD, the Division will review each Phase II and maintenance application to insure that the following is submitted:

1. Supplemental EEO

Written assurance that the grantee will include in any construction contract, partially funded under the Clean Lakes Program, the "Modified Supplemental Equal Employment Opportunity Anti-discrimination and Affirmative Action Program" (Supplemental EEO) approved for use in Division grant-assisted construction projects.

2. Affirmative Action Assurance

Applicants must submit a document entitled "Affirmative Action Assurance" signed by the municipal official submitting the application. This signed document must contain:

- A. A written commitment that prior to advertising for bids on the construction project described in the application, the applicant will notify the State Office of Minority Business Assistance (SOMBA) of the applicant's intention to solicit bids, and the availability, on request, to SOMBA of copies of the bid proposal, plan and specifications and invitation to bid. Notice to SOMBA should be addressed to:

David Harris, Director
SOMBA
100 Cambridge Street, 13th Floor
Boston, MA 02202

(617) 727-8692

Copies of the notice to SOMBA must be submitted to the Division with the executed grant agreement (Substate Agreement) before approval to advertise the construction contract will be issued by the Division.

- B. Written assurance that the grantee will designate a contract compliance officer to act as the grantee's agent in performing all of the construction contract compliance requirements set forth in the supplemental EEO relative to the project identified in the application, and a statement that the designated officer will perform the required functions. The resident project engineer may be the designated contract compliance officer.
- C. A commitment that a pre-construction conference will be conducted between the compliance officer and the contractor, during which the Affirmative Action obligations under the contract will be reviewed and discussed.

SUPPORTIVE DOCUMENTATION: Does not apply

PERMIT LIFE: Does not apply

FEE: None

MASSACHUSETTS ENVIRONMENTAL POLICY ACT (MEPA)

TYPE: Applicants eligible for Clean Lakes Program Grants for funding for Phase II and Maintenance Projects must comply with the Massachusetts Environmental Policy Act (M.G.L. Ch. 30, Secs. 62 through 62H) which is implemented by the MEPA regulations. These regulations provide a mechanism for examination of environmental impacts of activities in the Commonwealth which are conducted by state agencies, receive financial assistance from state agencies, or require permits from state agencies. Depending on the nature, size, and location of the project either no filing, filing of an Environmental Notification Form (ENF), or an Environmental Impact Report (EIR) may be required before the project commences.

AGENCY/CONTACT: Steven C. Davis
Executive Office of Environmental Affairs
Massachusetts Environmental Policy Act Unit
100 Cambridge Street, 20th Floor
Boston, MA 02202

(617)727-5830

(See also the addresses on Page 17 and the Appendices for circulation of ENF and EIR.)

TIMING: Applicants for Implementation and certain Maintenance Projects shall prepare and file an ENF with the Executive Office of Environmental Affairs (EOEA) so that a decision is rendered by the Secretary of EOEA on or before the May 31 deadline following publication of the Grant Eligibility List.

Note: Applicants should file the ENF no later than April 1 to assure compliance with Clean Lakes Program requirements by May 31.

Blank Environmental Notification Forms or additional information relative to the MEPA process are available upon request from the MEPA office at the above address.

Review period of the ENF is 30 days. If an Environmental Impact Report (EIR) is required, full MEPA approval will not be given until the EIR has been submitted and approved (3-12 months).

REGULATED ACTIVITIES:

1. Diagnostic-Feasibility Studies

Diagnostic-feasibility studies are categorically excluded from the MEPA process as contained in 301 CMR 10.32 Appendix C: (2) (a). Hence, an ENF does not need to be filed with EOEa.

2. Implementation Projects

Successful applicants for restoration, preservation, or certain maintenance projects must file an ENF with the Secretary of EOEa and other appropriate parties (see attached list). Upon review of an ENF, the Secretary shall make a determination of whether or not an EIR is required. It is possible that certain projects will be excluded from the MEPA process but such exclusion must be ascertained by EOEa.

SUPPORTIVE DOCUMENTATION:

1. A copy of a Notice of Intent under the Wetlands Protection Act must be published in a local newspaper by the applicant.
2. The Environmental Notification Form must be accompanied by a site plan and locus map of the proposed project.
3. The applicant is also responsible for submitting to the Division of Water Pollution Control certification of compliance with the MEPA process. Final compliance shall include either:
 - a. submittal of a copy of the certification by the Secretary under 301 CMR 10.04(9) that an EIR is not required for the project, or;
 - b. submittal of a copy of the notice of availability of the final EIR as published by the Secretary under 301 CMR 10.07(2).

Nonsubmittal of certification of compliance with MEPA could delay the date of project commencement.

PERMIT LIFE: Does not apply

FEE: None

SUPPLEMENTAL INFORMATION:

The following is a list of the agencies that require copies of the Environmental Notification Form (ENF) and the Environmental Impact Report (EIR). For addresses of specific regional or district offices consult appendices.

Environmental Notification Forms:

The following agencies should always be sent the ENF in the quantities noted.

a. Two copies of the ENF must be sent to:

Secretary of Environmental Affairs
100 Cambridge Street, 20th floor
Boston, MA 02202
Attention: MEPA Unit

b. One copy of the ENF must be sent to each of the following:

1. Department of Environmental Quality Engineering
One Winter Street
Boston, MA 02108
2. Appropriate Department of Environmental Quality Engineering
Regional Office. In addition, one copy should be addressed
to each division of DEQE from which a permit will be sought.
(See Appendix A).
3. Executive Office of Communities and Development
State Clearinghouse
100 Cambridge Street, 9th Floor
Boston, MA 02202
4. Massachusetts Historical Commission
80 Boylston Street
Boston, MA 02116
5. Appropriate Regional Planning Agency (See Appendix B).
6. Applicable Department of Public Works District Office
(See Appendix D).
7. The Conservation Commission in each city or town affected by
the project.
8. The Planning Board (in Boston, the BRA) in each city or
town affected by the project.
9. If the project is in a coastal zone community, to:

Coastal Zone Management
100 Cambridge Street, 20th Floor
Boston, MA 02202

Division of Marine Fisheries
100 Cambridge Street, 19th Floor
Boston, MA 02202

10. If the project is in a community served by MWRA water or sewer, to:

Massachusetts Water Resources Authority
100 First Avenue
Charlestown Navy Yard
Boston, MA 02129

11. If the project is subject to DPU or EFSC review, to:

Department of Public Utilities
100 Cambridge Street, 12th Floor
Boston, MA 02202

Energy Facilities Siting Council
100 Cambridge Street, 21st Floor
Boston, MA 02202

12. If the project is subject to funding or permit review by any transportation agency, to:

Executive Office of Transportation and Construction
10 Park Plaza, Room 3510
Boston, MA 02116-3969

Department of Public Works
10 Park Plaza - Room 4260
Boston, MA 02202

13. If the project affects aviation, or locates residences within five miles of an airport, to:

Massachusetts Aeronautics Commission
10 Park Plaza, Room 6620
Boston, MA 02116-3966

Executive Office of Transportation and Construction
10 Park Plaza, Room 3510
Boston, MA 02116-3966

14. If the project site has been in agricultural use within the last fifteen years, to:

Department of Food and Agriculture
100 Cambridge Street, 21st Floor
Boston, MA 02202

15. If the project is in a community served by the MBTA, to:

Massachusetts Bay Transit Authority
10 Park Plaza, 5th Floor
Boston, MA 02116-3966

c. In addition, one copy of the ENF must be sent to any other Commonwealth or federal agency from which permits or funding may be sought for the project.

d. A copy of the ENF shall be promptly furnished by the proponent, free of charge, to anyone requesting it during the review period. The proponent shall maintain a record of persons or groups requesting copies, dates of requests, and dates copies were sent out. Undue delay in provision of copies may be cause for extension by the Secretary of the Review period.

e. Circulation of EIRs. Draft and Final EIRs shall be distributed by the proponent as follows:

1. Three copies must be sent to:

Secretary of Environmental Affairs
100 Cambridge Street, 20th Floor
Boston, MA 02202
Attention: MEPA Unit

2. One copy must be sent, free of charge, to each of the following:

- a. Executive Office of Communities and Development
State Clearinghouse
100 Cambridge Street, Room 904
Boston, MA 02202
- b. Applicable Regional Planning Agency. (See Appendix B.)
- c. Each agency or DEQE division from which permits or funding may be sought for the project.
- d. Each other agency, board, group, or person designated by the Secretary, in the Scope or thereafter.

3. During the comment period, copies of the EIR shall be provided promptly by the proponent to any other persons or groups upon request, free of charge, except that the proponent may, with the consent of the Secretary, charge the cost of reproduction for these additional copies. The proponent shall maintain a record of persons or groups requesting copies, dates of requests, and dates copies were sent out. Undue delay in provision of copies may be cause for extension of the review period by the Secretary.

MASSACHUSETTS WAGE RATE-CERTIFICATION STATEMENT OF COMPLIANCE

TYPE: This statement certifies that employees of contractors and subcontractors involved in construction projects funded under the Clean Lakes Program will be paid in accordance with wages determined under the provisions of Sections 26 and 27 of Chapter 149 of the General Laws.

AGENCY/CONTACT: Send statement to:

James F. Snow, Commissioner
Department of Labor and Industries
100 Cambridge Street, 11th Floor
Boston, MA 02202
(617) 727-3454

Send copy to:

Massachusetts Division of Water Pollution Control
Lakes Section
Lyman School, Westview Building
Westborough, MA 01581

TIMING: Each contractor, subcontractor, or public entity shall furnish this statement to the Commissioner of Labor and Industries within fifteen (15) days after completion of its portion of work. This statement of compliance shall also be included in the Substate Agreement.

REGULATED ACTIVITIES:

This Statement of Compliance applies to contractors and subcontractors involved in construction projects funded under the Clean Lakes Program. The following is an example of the statement.

MASSACHUSETTS WAGE RATE-CERTIFICATION
STATEMENT OF COMPLIANCE

STATEMENT

I, _____ 19_____
(name of signatory party) (title)

do hereby state:

That I pay or supervise the payment of the persons employed by
_____ on the
(contractors, subcontractors)
_____ and that all mechanics and
(project title)

apprentices, teamsters, chauffeurs and laborers employed on said
project have been paid in accordance with wages determined under the
provisions of Sections 26 and 27 of Chapter 149 of the General Laws.

(signature)

(title)

(signed under penalties of
perjury as provided for under
Section 27B of Chapter 149,
General Laws.)

SUPPORTIVE DOCUMENTATION: Does not apply

PERMIT LIFE: Does not apply

FEE: None

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

TYPE: Permit to allow regulated and limited discharge of pollutants into the surface waters of the Commonwealth and the United States.

AGENCY/CONTACT: Regulatory Branch
Department of Environmental Quality Engineering
Division of Water Pollution Control
One Winter Street
Boston, MA 02108

(617) 292-5673

and

Peggy Meehan
U.S. Environmental Protection Agency
Compliance Branch
John F. Kennedy Building
Boston, MA 02203

(617) 223-3945

REGULATED ACTIVITIES:

Developments that result in discharge of pollutants into waterways.

SUPPORTIVE DOCUMENTATION:

NPDES applications should be filed with the U.S.EPA and Massachusetts Surface Water Permit Program applications should be filed with DWPC.

PERMIT LIFE:

Permits are issued for a term not to exceed five (5) years.

TIMING: An application must be submitted at least 180 days before the date on which the discharge is to commence.

FEE: No fee to apply. However, there is an annual compliance inspection fee for permittees other than public entities.

REFERENCE:

State - M.G.L. c.21, s.43, 314 CMR 2.00, 3.00, 4.00
Federal - Federal Water Pollution Control Act as amended
33 U.S.C., 1251 et seq. and 40 CFR 122, 124

PERMIT TO APPLY CHEMICALS

TYPE: An application must be filed for permission to chemically treat waters for control of nuisance aquatic vegetation. The application form can be obtained by contacting the following agency:

AGENCY/CONTACT: Gary P. Gonyea
Massachusetts Division of Water Pollution Control
Lakes Section
Lyman School, Westview Building
Westborough, MA 01581

(617)366-9181

TIMING: Application for permission to chemically treat waters must be completed and submitted to the above address at least thirty (30) days prior to the date(s) of treatment.

REGULATED ACTIVITIES:

Permission for application of chemicals to waterbodies for control of nuisance aquatic vegetation must be obtained at all times, except under the following conditions:

1. When treatment is undertaken by state agencies in the conduct of their official business;
2. When treatment is to be made by a duly constituted water supply agency in water under its jurisdiction;
or
3. When the pond or lake to be treated has an intermittent outlet and is contained entirely within the boundaries of lands owned or leased by the person making or authorizing the treatment.

SUPPORTIVE DOCUMENTATION:

All chemical treatments must be in accordance with the rules and regulations of the Wetlands Protection Act (Chapter 131, Section 40, as amended). A Notice of Intent must be filed with the appropriate conservation commission. The conservation commission may issue an Order of Conditions if necessary. A copy of the Notice of Intent and, if applicable, the Order of Conditions must accompany this permit application.

PERMIT LIFE:

For the duration of the particular project.

FEE: None

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

TYPE: Permit to allow regulated and limited discharge of pollutants into the surface waters of the Commonwealth and the United States.

AGENCY/CONTACT: Regulatory Branch
Department of Environmental Quality Engineering
Division of Water Pollution Control
One Winter Street
Boston, MA 02108

(617) 292-5673

and

Peggy Meehan
U.S. Environmental Protection Agency
Compliance Branch
John F. Kennedy Building
Boston, MA 02203

(617) 223-3945

REGULATED ACTIVITIES:

Developments that result in discharge of pollutants into waterways.

SUPPORTIVE DOCUMENTATION:

NPDES applications should be filed with the U.S.EPA and Massachusetts Surface Water Permit Program applications should be filed with DWPC.

PERMIT LIFE:

Permits are issued for a term not to exceed five (5) years.

TIMING: An application must be submitted at least 180 days before the date on which the discharge is to commence.

FEE: No fee to apply. However, there is an annual compliance inspection fee for permittees other than public entities.

REFERENCE:

State - M.G.L. c.21, s.43, 314 CMR 2.00, 3.00, 4.00
Federal - Federal Water Pollution Control Act as amended
33 U.S.C., 1251 et seq. and 40 CFR 122, 124

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TYPE: An application must be filed for permission to chemically treat waters for control of nuisance aquatic vegetation. The application form can be obtained by contacting the following agency:

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Massachusetts Division of Water Pollution Control
Lakes Section
Lyman School, Westview Building
Westborough, MA 01581

(617)366-9181

TIMING: Application for permission to chemically treat waters must be completed and submitted to the above address at least thirty (30) days prior to the date(s) of treatment.

REGULATED ACTIVITIES:

Permission for application of chemicals to waterbodies for control of nuisance aquatic vegetation must be obtained at all times, except under the following conditions:

1. When treatment is undertaken by state agencies in the conduct of their official business;
2. When treatment is to be made by a duly constituted water supply agency in water under its jurisdiction;
or
3. When the pond or lake to be treated has an intermittent outlet and is contained entirely within the boundaries of lands owned or leased by the person making or authorizing the treatment.

SUPPORTIVE DOCUMENTATION:

All chemical treatments must be in accordance with the rules and regulations of the Wetlands Protection Act (Chapter 131, Section 40, as amended). A Notice of Intent must be filed with the appropriate conservation commission. The conservation commission may issue an Order of Conditions if necessary. A copy of the Notice of Intent and, if applicable, the Order of Conditions must accompany this permit application.

PERMIT LIFE:

For the duration of the particular project.

FEE: None

SEWER EXTENSION AND CONNECTION PERMITS

TYPE: Permit to allow the extension of or connection to an existing sewer system to provide for additional discharge into the system.

AGENCY/CONTACT: Regulatory Branch
Department of Environmental Quality Engineering
Division of Water Pollution Control
One Winter Street
Boston, MA 02108

(617) 292-5673

TIMING: Application must be submitted no later than 90 days prior to construction.

REGULATED ACTIVITIES:

Any development that will result in a discharge requiring extension of or connection to a sewer system except those activities which are exempt as detailed in 314 CMR 7.05, including discharge of less than 2,000 gallons per day of sanitary sewage.

SUPPORTIVE DOCUMENTATION:

Completed sewer extension/connection permit application.

PERMIT LIFE:

Permits are issued once for the duration of the project except industrial permits which are issued for a term not to exceed five (5) years.

FEE: An application filing fee must be submitted by applicants other than public entities.

REFERENCE:

Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq. M.G.L. c.21, s.43 and 310 CMR 8.00.

WATER QUALITY CERTIFICATE

TYPE: Certifies that the proposed project will ensure maintenance of Massachusetts Water Quality Standards.

AGENCY/CONTACT: Permits Section
Division of Water Pollution Control
One Winter Street
Boston, MA 02108

(617)292-5673

TIMING: Applications must be acted upon within 90 days of filing a completed application. Applications subject to MEPA are not complete until the MEPA decision is published.

REGULATED ACTIVITIES:

Development activities that could result in otherwise unregulated discharges of pollutants into the waterways, dredging, dredged material disposal and filling in waters and wetlands of the Commonwealth.

SUPPORTIVE DOCUMENTATION:

1. Application form supplied by the Division which may require the submission of plans and specifications for the proposed project.
2. A description (chemical and physical analysis) of the dredge material is required.
3. A copy of the Wetland Notice of Intent and Order of Conditions is required for projects involving fill.

PERMIT LIFE:

This certificate is a requirement for Chapter 91 permits or Army Corps of Engineer permits. Certification expires with the expiration of the Chapter 91 or the federal permit.

FEE: None

COMMENTS: Required only if a Chapter 91 license or permit is required or if a U.S. Army Corps of Engineers Permit is required.

WETLANDS PROTECTION ACT PERMIT

TYPE: A permit that allows alteration of lands within 100 feet of the 100-year floodplain, within vegetated wetlands or the dredging, filling, or otherwise altering of waterways.

AGENCY/CONTACT: Local Conservation Commission

TIMING: Prior to construction. Review period is at least 42 days from date of initial filing.

REGULATED ACTIVITIES:

Projects which are regulated are those within areas that are subject to flooding or within 100 feet from freshwater wetlands bordering waterbodies. Typical activities that are regulated include applying chemicals, filling, clearing land, removing muck or peat, grading, digging gravel, dumping, excavating, erecting or building, constructing or paving a parking area or roadway, installing drainage ditches or culverts, constructing groins or jetties, damming or changing the course of a stream, or dredging.

SUPPORTIVE DOCUMENTATION:

1. Request for a Determination of Applicability; or
2. Notice of Intent supplied by conservation commission; or
3. Order of Conditions issued by the local conservation commission may be required.

PERMIT LIFE:

One year. Extensions may be provided in one year increments.

FEE: \$25.00 filing fee unless increased by local bylaw.

APPENDIX A

DEPARTMENT OF ENVIRONMENTAL QUALITY ENGINEERING

REGIONAL OFFICES

CENTRAL:	75B Grove Street Worcester, MA 01605 (617) 792-7653
METROPOLITAN BOSTON/NORTHEAST:	5 Commonwealth Avenue Woburn, MA 01801 (617) 935-2160
SOUTHEAST:	Lakeville Hospital Middleborough, MA 02346 (617) 947-1231
WESTERN:	436 Dwight Street Springfield, MA 01103 (413) 785-5327

APPENDIX B

REGIONAL PLANNING BOARD OFFICES

Metropolitan Area Planning Council
110 Tremont Street
Boston, MA 02108
(617) 451-2770

Merrimack Valley Planning Commission
350 Main Street
Haverhill, MA 01830
(617) 374-0519

Northern Middlesex Area Commission
35 Market Street
Lowell, MA 01852
(617) 454-8021

Old Colony Planning Council
9 Belmont Street
Brockton, MA 02401
(617) 583-1833

Nantucket Planning and Economic Development
Broad Street
Nantucket, MA 02554
(617) 228-9625

Martha's Vineyard (Land and Water) Commission
P.O. Box 1477
Oak Bluffs, MA 02557
(617) 693-3453

Southeastern Regional Planning and Economic
Development District
88 Broadway
Taunton, MA 02780
(617) 824-1367

Cape Cod Regional Planning and Economic
Development Commission
1st District Court House, Main Street
Barnstable, MA 02630
(617) 362-2511

Central Mass. Regional Planning Commission
340 Main Street, Room 767
Worcester, MA 01608
(617) 756-7717

PLANNING BOARDS (CONTINUED)

Montachusett Regional Planning Commission
76 Summer Street
Fitchburg, MA 01420
(617) 345-7376
(617) 345-2216

Franklin County Planning Department
Court House
425 Main Street
Greenfield, MA 01301
(413) 774-3167

Berkshire County Regional Planning Commission
10 Fenn Street
Pittsfield, MA 01201
(413) 442-1521

Pioneer Valley Planning Commission
26 Central Street
West Springfield, MA 01089
(413) 781-6045

APPENDIX C

DIVISION OF FISHERIES AND WILDLIFE

WESTERN:	Wildlife District Manager Hubbard Avenue Pittsfield, MA 01201 (413) 447-9789
CONNECTICUT VALLEY:	Wildlife District Manager East Street Belchertown, MA 01007 (413) 323-7632
CENTRAL:	Wildlife District Manager Temple Street W. Boylston, MA 01583 (617) 835-3607
NORTHEAST:	Wildlife District Manager Harris Street, Box 86 Acton, MA 01720 (617) 263-4347
SOUTHEAST:	Southeast Wildlife District Bournedale Road Buzzards Bay, MA 02532 (617) 759-3406
FIELD HEADQUARTERS:	Division of Fisheries and Wildlife Field Headquarters Westborough, MA 01581

APPENDIX D

DEPARTMENT OF PUBLIC WORKS

DISTRICT 1:	270 Pittsfield Road Lenox, MA 01240
DISTRICT 2:	811 N. King Street Northampton, MA 01060 (617) 727-2165
DISTRICT 3:	403 Belmont Street Worcester, MA 01604 (617) 727-3975
DISTRICT 4:	519 Appleton Street Arlington, MA 02174 (617) 727-5178
DISTRICT 5:	485 Maple Street Danvers, MA 01937 (617) 727-4295
DISTRICT 6:	1000 County Street, Box 111 Taunton, MA 02780 (617) 727-4465
DISTRICT 7:	1000 County Street Box 111 Taunton, MA 02780 (617) 727-7516
DISTRICT 8:	400 D. Street Boston, MA 02210 (617) 727-5175

